

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:23-cr-21

vs.

BROOKE ASHLIE MARTIN,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING THE JOINT MOTION TO CONTINUE (Doc. No. 30); (2) VACATING THE TRIAL DATE AND STATUS REPORT DEADLINE (Doc. No. 29); (3) EXCLUDING THE TIME FROM AUGUST 8, 2023 TO OCTOBER 20, 2023 FROM THE SPEEDY TRIAL ACT CALCULATION; (4) FINDING THAT THE NEW SPEEDY TRIAL ACT DEADLINE IS NOVEMBER 3, 2023; (5) DIRECTING THE PARTIES TO FILE A JOINT STATUS REPORT ON CASE PROCEEDINGS BY SEPTEMBER 18, 2023; AND (6) SETTING TRIAL TO BEGIN ON OCTOBER 16, 2023 AT 9:30 AM

This criminal case comes before the Court on the parties' joint motion for a 45-day continuance. Doc. No. 30. The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and defendant in a speedy trial. Failure to grant the requested continuance would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7).

Thus, the Court hereby **GRANTS** the parties' joint motion to continue (Doc. No. 30) and **VACATES** the trial date and status report deadline previously set (Doc. No. 29). The time from August 8, 2023 until October 20, 2023 is **EXCLUDED** in computing the time period set forth in

18 U.S.C. § 3161 within which the United States must bring Defendant to trial. Accounting for the time excluded from the Speedy Trial Act calculation, the new **Speedy Trial Act deadline** in the instant case is **November 3, 2023**.¹ The Court **ORDERS** the parties to file a joint status report on case proceedings by **September 18, 2023** and **SETS** trial to begin on **October 16, 2023 at 9:30 a.m.**

IT IS SO ORDERED.

August 8, 2023

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge

¹ If counsel disagrees with this calculation, counsel shall contact the Court with their proposed Speedy Trial Act calculation and deadline.